

Message Text

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ACTION OES-07

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TO SECSTATE WASHDC PRIORITY 3838

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SUBJECT: JAPAN PROPOSAL ON RENEGOTIATION OF INPFC

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1. FOLLOWING IS TEXT OF JAPAN PROPOSAL CONCERNING RE-
NEGOTIATION OF INPFC. SEPTTEL COVERS ANNEX "COMMENTS ON
THE PAPER PREPARED BY U.S. SCIENTISTS TITLED ESTIMATES
OF POTENTIAL CATCHES OF SALMON IN CERTAIN SECTORS OF THE
JAPANESE MOTHERSHIP AND LANDBASED DRIFTNET FISHING
AREAS".

BEGIN TEXT:

ON THE PROPOSED UNITED STATES DRAFT PROTOCOL
TO THE INTERNATIONAL CONVENTION
FOR HIGH SEAS FISHERIES OF THE NORTH PACIFIC OCEAN

IN THE NEGOTIATIONS BETWEEN THE REPRESENTATIVES OF
THE GOVERNMENTS OF CANADA, THE UNITED STATES AND JAPAN ON
THE FUTURE OF THE INTERNATIONAL CONVENTION FOR THE HIGH
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SEAS FISHERIES OF THE NORTH PACIFIC OCEAN, HELD IN
ANCHORAGE, ALASKA, OCTOBER 24-26, 1977, DISCUSSIONS WERE
MAINLY LIMITED TO THE FOLLOWING FOUR BASIC POINTS:
(1) WHETHER THE NEW BODY WILL DEAL ONLY WITH ANADROMOUS
SPECIES, (2) THE ROLE OF THE NEW COMMISSION, (3) ENFORCEMENT,
AND (4) FISHING AREA FOR THE MOTHERSHIP AND LAND-BASED
FISHERIES. THE VIEW OF THE GOVERNMENT OF JAPAN ON THESE

POINTS, WHICH WAS RECORDED IN THE SUMMARY RECORD OF THE TRILATERAL NEGOTIATIONS ON THE FUTURE OF INPFC, REMAIN BASICALLY UNCHANGED AT PRESENT.

HOWEVER, ON PARAGRAPH 4 OF THE DRAFT PROTOCOL, WHICH DEALS WITH FISHING AREAS FOR JAPAN'S SALMON FISHERY, THE REPRESENTATIVES OF EACH GOVERNMENT WENT ONLY SO FAR AS TO STATE ITS BASIC POSITION AND DID NOT PROCEED TO DETAILED DISCUSSIONS IN THE NEGOTIATIONS. ON THE BASIS OF THE RECOGNITION THAT MATTERS REGARDING FISHING AREAS FOR JAPAN'S SALMON FISHERY IS THE MOST IMPORTANT ISSUES FOR JAPAN IN THE NEGOTIATIONS OF THE NEW TREATY, WE HEREBY WISH TO PRESENT OUR VIEW ON THIS POINT IN A DETAILED FORM, AND TO MAKE THE FOLLOWING SUGGESTIONS.

1. PROBLEMS CONCERNING THE U.S. DRAFT PROTOCOL.

THE U.S. DRAFT PROTOCOL PROVIDES THAT THE HIGH SEAS JAPANESE MOTHERSHIP FISHERY WILL FISH ONLY IN WATERS WEST OF 170 DEGREES EAST LONGITUDE, AND THE JAPANESE LAND-BASED SALMON FISHERY WILL FISH ONLY IN WATERS WEST OF 165 DEGREES EAST LONGITUDE UNTIL SUCH TIME AS THE CONTINENT OF ORIGIN OF ANADROMOUS SPECIES IN SUCH WASTERS SHALL BE DETERMINED. THIS U.S. PROPOSAL IS BASED ON THE CONSIDERATION THAT EVEN WITH THESE RESTRICTIONS, JAPAN'S SALMON FISHERY COULD CATCH ALMOST AS MUCH AS THE QUOTA FOR THIS YEAR ALLOCATED TO JAPAN BY THE JAPAN-USSR FISHERY COMMISSION, AS LIMITED OFFICIAL USE

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SHOWN IN "ESTIMATES OF POTENTIAL CATCHES OF SALMON IN CERTAIN SECTORS OF THE JAPANESE SALMON MOTHERSHIP AND LAND-BASED DRIFTNET FISHING AREAS".

HOWEVER, WE CONSIDER THAT THIS ESTIMATE IS BASED ON MANY UNREALISTIC ASSUMPTIONS, AS EXPLAINED IN THE ANNEX ATTACHED HERETO, AND, THEREFORE, WE CANNOT ACKNOWLEDGE THE VALIDITY OF THE U.S. PROPOSAL.

MOREOVER, AS WAS MADE CLEAR BY THE PAPERS OF OUR SCIENTISTS SUBMITTED TO THE 24TH ANNUAL MEETING OF THE INPFC, NO APPRECIABLE RUNS OF SOCKEYE SALMON OF BRISTOL BAY ORIGIN ARE OBSERVED IN WATERS WEST OF 180 DEGREES. THEREFORE, WE WISH TO REITERATE A POINT WHICH WE HAVE MADE ON OTHER OCCASIONS THAT ALMOST ALL THE CATCH BY OUR SALMON FISHERY WEST OF PRESENT ABSTENTION LINE IN RECENT YEARS IS SALMON OF ASIAN ORIGIN, AND THAT OUR CATCH OF SALMON OF BRISTOL BAY ORIGIN IN RECENT YEARS OCCUPIES ONLY 2 TO 3 PERCENT OF THE TOTAL RUN TO THE BRISTOL BAY.

IT IS OUR ESTIMATE THAT, SHOULD WE ACCEPT THE U.S. PROPOSAL, OUR MOTHERSHIP FISHERY WOULD LOSE ABOUT 90 PCT OF

ITS FISHING AREA AND ALSO ABOUT 90 PCT OF ITS CATCH, AND OUR LAND-BASED FISHERY WOULD LOSE ABOUT 60 PCT OF ITS FISHING AREA AND ABOUT 45 PCT OF ITS CATCH, ACCORDING TO THE DATA OF 1977.

THIS WOULD MEAN THE TOTAL DESTRUCTION OF OUR SALMON FISHING INDUSTRY, AND WOULD CERTAINLY AFFECT SOME 90 HUNDRED FISHERMEN EMPLOYED BY IT. WE WOULD LIKE TO STRESS THAT THIS WOULD CAUSE SERIOUS SOCIAL AND POLITICAL PROBLEMS.

2. OUR PROPOSAL ON THE REGULATORY FISHING AREA
IN VIEW OF THE FACT THAT CONCERNING ANADROMOUS SPECIES
IN INTERMINGLING AREAS, ARTICLE VI OF THE AGREEMENT BETWEEN

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ACTION OES-07

INFO OCT-01 EA-10 ISO-00 ACDA-12 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 COME-00 DLOS-09 DODE-00
DOTE-00 EB-08 EPA-01 SOE-02 DOE-11 FMC-01 TRSE-00
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THE U.S. AND JAPAN CONCERNING FISHERIES OFF THE COASTS OF THE U.S., WHICH ENTERED INTO FORCE ON NOVEMBER 29 OF THIS YEAR, STIPULATES THAT BOTH GOVERNMENTS SHALL HOLD CONSULTATIONS CONCERNING NECESSARY CONSERVATION MEASURES, WE DEEM IT NECESSARY THAT A NEW ARRANGEMENT TO BE WORKED OUT BE A ONE WHICH SERVES TO GIVE PRATICAL EFFECT TO ARTICLE VI OF THE AGREEMENT. ALTHOUGH WE CONSIDER IT UNAVOIDABLE THAT, IN DETERMINING MEASURES FOR MANAGEMENT FOR ANADROMOUS SPECIES IN INTERMINGLING AREAS, OUR FISHERIES IN THESE AREAS WILL BE GIVEN CERTAIN RESTRICTIONS BY THE NEED FOR PROTECTING SALMON OF THE NORTH AMERICAN ORIGIN, IT IS OUR FIRM VIEW THAT THESE MEASURES SHOULD BE BASED ON THE BEST SCIENTIFIC DATA AVAILABLE AND ALSO BE RATIONAL IN THAT THEY WILL MINIMIZE ECONOMIC DISLOCATIONS OF A

TRADITIONAL FISHING STATE, BUT NEVER BE THE ONES WHICH
CAUSE DE FACTO DESTRUCTION OF OUR FISHERY DIRECTED AT
SALMON OF ASIAN ORIGIN.

FROM THIS POINT OF VIEW, AND TAKING INTO ACCOUNT THE
EFFECTIVENESS OF THE TIME-AREA CLOSURE WHICH WE HAVE
IMPLEMENTED ON A VOLUNTARY BASIS SINCE 1974, WE PRESENT
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THE FOLLOWING SUGGESTIONS, WHICH WOULD IN OUR VIEW, SERVE
TO ACHIEVE AT THE SAME TIME BOTH THE PROTECTION OF SALMON
OF NORTH AMERICAN ORIGIN AND THE CONTINUANCE OF THE STABLE
OPERATIONS OF OUR SALMON FISHERY.

(1) WHERE THE JAPANESE FISHERMEN ENGAGE IN FISHING IN
THE WATERS WEST OF FOLLOWING 5 LINES, THEY SHALL NOT BE
REQUIRED TO OBTAIN FISHING PERMITS FROM THE U.S. AUTHORITIES
IN CASE OF FISHING OPERATION OUTSIDE THE WATERS OF U.S. 200
MILE ZONE, BUT SHALL BE AUTHORIZED TO ENGAGE IN FISHING
WITHIN THE WATERS OF U.S. 200 MILE ZONE BY OBTAINING FISHING
PERMITS, ISSUED BY THE U.S. AUTHORITIES SOLELY FOR
ADMINISTRATIVE PURPOSES UNDER THE ARRANGEMENT TO BE AGREED
UPON:

THE LINE OF 175 DEGREES WEST LONGITUDE, RUNNING NORTHWARD
FROM 55 DEGREES NORTH LATITUDE;

THE LINE OF 55 DEGREES NORTH LATITUDE, RUNNING FROM
175 DEGREES WEST LONGITUDE TO 180 DEGREES;

THE LINE OF 180 DEGREES, RUNNING FROM 48 DEGREES TO
55 DEGREES NORTH LATITUDE;

THE LINE OF 48 DEGREES NORTH LATITUDE, RUNNING FROM
180 DEGREES TO THE MERIDIAN LINE PASSING THROUGH THE
WESTERN EXTREMITY OF ATKAS ISLAND;

THE LINE OF THE MERIDIAN LINE, RUNNING SOUTHWARD OF
48 DEGREES NORTH LATITUDE PASSING THROUGH THE WESTERN
EXTREMITY OF ATKAS ISLAND;

(2) IN THE AREAS WEST OF THE ABOVE-MENTIONED LINES, THERE
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SHALL BE TIME-AREA CLOSURES OF THE SAME EXTENT AS THOSE IN
RECENT YEARS, TAKING INTO ACCOUNT THE PREDICTED LEVEL OF

BRISTOL BAY SALMON RUNS.
END TEXT.

2. IN ORDER TO SAVE TIME, WE HAVE MAILED ABOVE TEXT
AND ACCOMPANYING ANNEX TO EXECUTIVE DIRECTOR, NORTH
PACIFIC FISHERY REGIONAL COUNCIL, NMFS, REGIONAL
DIRECTOR RIETZE AND CENTER DIRECTOR ALVERSON. RIETZE
WAS ASKED TO PASS TO ALASKA FISH AND GAME, WE ASKED
THAT PROPOSAL BE HANDLED AS LIMITED OFFICIAL USE.

3. MR. MATSUURA OF JAPAN FISHERY AGENCY HAS INFORMED
FISHATT THAT U.S. POSITION TOTALLY UNACCEPTABLE TO JAPAN
BECAUSE MOST SALMON TAKEN NEW AREA COVERED BY U.S.
PROPOSAL ARE OF ASIATIC ORIGIN. ACCEPTANCE OF U.S.
PROPOSAL WOULD RESULT IN DESTRUCTION OF JAPAN SALMON
MOTHERSHIP FISHERY. GOJ BELIEVES THEIR PROPOSAL
ENOUGH TO PROTECT U.S. SALMON ACCORDING TO PAST EX-
PERIENCES. MATSUURA ADDED FURTHER THAT IF AGREEMENT
CANNOT BE REACHED UNDER INPFC RENEGOTIATIONS, GOJ AND
USG MUST THEN DISCUSS ISSUE UNDER TERMS OF
ARTICLE VI OF GIFA. THOUGH JAPAN DOES NOT HAVE THIS
OPTION AS YET WITH CANADA, HE SAID, IT HOPES TO
START DISCUSSIONS EARLY NEXT YEAR WHICH WILL RESULT
IN PROCEDURE FOR BILATERAL NEGOTIATIONS. FINALLY
HE MENTIONED THAT THOUGH JAPAN HAS DESCRIBED A "LINE"
IN THEIR PROPOSAL, IT HAS NOT DISCUSSED CHARACTERISTICS
OF LINE OTHER THAN ITS GEOGRAPHICAL LOCATION. THAT
IS, GOJ HAS NOT DEFINED LINE AS ABSTENTION LINE, ETC.
THIS MUST BE DISCUSSED IN UPCOMING NEGOTTIATIONS.

4. COMMENT: IT IS BECOMING INCREASINGLY CLEAR
THAT THOUGH JAPAN HOPES TO REACH TRILATERAL AGREEMENT
AT FORTHCOMING TOKYO SESSION, IT WILL NOT AGREE TO
USG INITIAL POSITION OR SLIGHT MODIFICATION THEREOF,
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BUT INSTEAD, MIGHT LET DEADLINE FOR RENEGOTIATION OF
INPFC PASS AND THEN RESORT TO USE OF ARTICLE VI OF
GIFA AS AVENUE FOR FURTHER SALMON NEGOTIATIONS.
MATSUURA SAID THS SOVIETS HAVE NOT YET INDICATED
CLOSRE OF SALMON FISHERY OUTSIDE OF 2000 MILES TO
JAPAN. HE INTERPRETS THIS TO MEAN THAT JAPAN HAS
GOOD CHANCE OF RECEIVING QUOTA FROM SOVIETS IN NE-
GOTIATIONS THAT WILL GET UNDERWAY PROBABLY IN LATE
FEBRUARY. THUS JAPAN WILL NOT MAKE LARGE CONCESSIONS
AT INPFC SESSION FOR FEAR OF JEOPARDIZING POSITION
WITH SOVIETS. IT WILL LATER NEGOTIATE SALMON ISSUE
WITH USG UNDER ARTICLE VI OF GIFA.
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